

SENATE BILL No. 566

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-30-5-13.

Synopsis: Sex education. Requires instruction in public schools and accredited nonpublic schools on human sexuality or sexually transmitted diseases to be based on information that is factual, medically accurate, and age appropriate.

Effective: July 1, 2009.

Breaux

January 20, 2009, read first time and referred to Committee on Education and Career Development.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 566

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-30-5-13, AS ADDED BY P.L.1-2005,
2 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2009]: Sec. 13. (a) **As used in this section, "appropriate**
4 **instructor" means an instructor with knowledge of the most recent**
5 **medically accurate research on human sexuality, pregnancy, and**
6 **sexually transmitted diseases.**

7 (b) **As used in this section, "comprehensive sexual health**
8 **education" means education regarding human development and**
9 **sexuality, including education on pregnancy, family planning, and**
10 **sexually transmitted diseases, as well as healthy relationships and**
11 **healthy communication skills.**

12 (c) **As used in this section, "factual information" includes but is**
13 **not limited to medical, psychiatric, psychological, empirical, and**
14 **statistical statements.**

15 (d) **As used in this section, "instructor" means an employee,**
16 **contractor, or consultant of the school district.**

17 (e) **As used in this section, "medically accurate" refers to**



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information that is supported by the weight of research conducted in compliance with accepted scientific methods and recognized as accurate and objective by leading professional organizations and agencies with relevant expertise in the field.

(f) Throughout If an accredited school provides instruction on human sexuality or sexually transmitted diseases, ~~an~~ the accredited school shall

(1) require a teacher to teach abstinence from sexual activity outside of marriage as the expected standard for all school age children;

(2) include in the instruction that abstinence from sexual activity is the only certain way to avoid out-of-wedlock pregnancy; sexually transmitted diseases; and other associated health problems; and

(3) include in the instruction that the best way to avoid sexually transmitted diseases and other associated health problems is to establish a mutually faithful monogamous relationship in the context of marriage: **provide comprehensive sexual health education for any grade level, using appropriate instructors.**

(g) Instruction and materials used in comprehensive sexual health education under this section shall satisfy all of the following criteria:

(1) Be age appropriate.

(2) Be medically accurate.

(3) Be appropriate for use with pupils of all races, genders, sexual orientations, ethnic and cultural backgrounds, and pupils with disabilities.

(4) Encourage pupils to communicate with the pupil's parents about human sexuality.

(5) Teach respect for marriage and committed relationships.

(6) Teach that abstinence from sexual intercourse is the only certain way to prevent unintended pregnancy and sexually transmitted diseases.

(7) Provide information about the effectiveness and safety, including the health benefits and side effects, of all contraceptive methods in preventing pregnancy and reducing the risk of contracting sexually transmitted diseases.

(8) Provide pupils with skills for negotiating intimate relationships and making and implementing responsible decisions about sexuality.

(9) Be appropriate for pupils who choose to be abstinent and for those who have been or are sexually active.

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1 (h) Comprehensive sexual health education provided under this
2 section shall not include any instruction or materials that do either
3 of the following:

4 (1) Teach or promote religious doctrine.

5 (2) Reflect or promote bias against any person on the basis of
6 race, color, religion, sex, familial status, sexual orientation,
7 disability, or national origin.

8 (i) If an accredited school provides comprehensive sexual health
9 education under this section:

10 (1) school officials shall notify parents that they have the right
11 to review the curriculum in its entirety and that written and
12 audiovisual educational materials used in the education are
13 available for inspection; and

14 (2) parents have the right to excuse their child from all or
15 parts of the instruction.

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